

IN RE: PETITION FOR ZONING VARIANCE  
NW/4 of Goodman Avenue, 204' SW  
of the c/l of Manchester Road  
(602 Goodman Avenue)  
12th Election District  
7th Councilmanic District

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 90-229-A

Dorothy B. Rash  
Petitioner

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a rear yard setback of 37 feet in lieu of the required 50 feet for a proposed addition as set forth in Petitioner's Exhibit 1.

The Petitioner, by her son, Donald A. Rash, appeared and testified. Also appearing on behalf of the Petition was Sharon Aziz, Installation Manager with Household Construction Co., Inc., Contractor. There were no Protestants.

Testimony indicated that the subject property, known as 602 Goodman Avenue, consists of .05 acres zoned D.R. 10.5 and is improved with a single family group home. Mr. Rash testified that he and his mother have lived on the property for approximately 30 years. Testimony indicated that in 1980, Petitioner constructed a 17' x 18' concrete covered patio. Petitioner is desirous of converting the patio into an enclosed sunroom. Mr. Rash testified that the enclosure would provide additional living space and enhance their enjoyment of the property. Further testimony indicated that the request is in keeping with other improvements made in the neighborhood and would not be detrimental to the health, safety or general welfare of the community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Com-

missioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of December, 1989 that the Petition for Zoning Variance to permit a rear yard setback of 37 feet in lieu of the required 50 feet for a proposed addition as set forth in Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

AMN:bjs

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

December 27, 1989

Ms. Dorothy B. Rash  
602 Goodman Avenue  
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE  
NW/4 of Goodman Avenue, 204' SW of the c/l of Manchester Road  
(602 Goodman Avenue)  
12th Election District - 7th Councilmanic District  
Dorothy B. Rash - Petitioner  
Case No. 90-229-A

Dear Ms. Rash:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

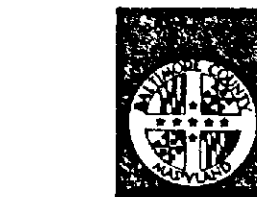
Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: People's Counsel

File



Dennis F. Rasmussen  
County Executive

SILBERMAN ASSOCIATES, INC. 301-661-5888

Aug 29 10:38 No.005 P.06

#### PETITION FOR ZONING VARIANCE #94

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-229-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1202.3.B (214.1.b.1. R.G. 2000. 1952.) To permit a rear yard setback in lieu of the minimum 50 feet.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

SON HAS MOVED HOME, WOULD LIKE TO ENCLOSE AS SEPARATE LIVING ROOM FOR HIS USE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name)

Signature: Dorothy B. Rash

Address: (Type or Print Name)

City and State: (Type or Print Name)

Attorney for Petitioner: (Type or Print Name)

Signature: (Type or Print Name)

Address: (Type or Print Name)

City and State: (Type or Print Name)

Attorney's Telephone No.: (Type or Print Name)

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of Dec. 1989, at 2:00 o'clock

J. Robert Haines  
Zoning Commissioner of Baltimore County  
(over)

OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 12/27/89 ACCOUNT: 01-615

AMOUNT: \$ 35.00

RECEIVED FROM: Household Construction Company, Inc.  
602 Goodman Avenue  
FOR: Rear Yard Variance (Item # 94)

8 017\*\*\*\*\*37712

VALIDATION OR SIGNATURE OF CARRIER

#### Tracking System

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning

Date: 12/27/89 Receipt FEE: 0174444

Day Month Year Number TYPE Identification Number

12 01 89 0174444 01 01 - 6 15 7 12 21 22 5

Petitioner: Rash (Last) Dorothy (First) (Middle Initial)

Property Address: 602 Goodman Avenue (Number) (Street)

ITEM #94

90-229-A

#### ZONING DESCRIPTION

Beginning on the northwest side of Goodman Avenue, 60 feet wide, at the distance of 204 feet southwest of the centerline of Manchester Road. Being Lot #11, Block B, in the subdivision of Manchester, Book No. 22, Folio 90. Also known as 602 Goodman Avenue containing .05 acres in the 12th Election District.

LIBER 3271, PAGE 080  
This Assignment, made this 5th day of November  
In the year one thousand nine hundred and eighty-seven, by and between THEODORE JULIO, of  
Baltimore County, in the State of Maryland, Grantor; and DONALD M. RASH and DOROTHY  
B. RASH, his wife, of Baltimore County, in the State of Maryland, Grantees.

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable  
considerations, the receipt whereof is hereby acknowledged, the said Grantor hereby  
grants and assigns unto the said Grantees, as tenants by the entirety, their assigns  
the survivor of them and the survivor's

personal representatives and assigns, all that certain lot or lots of land, situate in and to be known as Baltimore County, in the State of Maryland, and described as follows,  
that is to say:

BEING known and designated as Lot 11, Block "B", as shown on the Plat of  
Manchester, which Plat is recorded among the Plat Records of Baltimore County in  
Plat Book O.L.P. No. 22, folio 90. The improvements thereon being known as No. 602  
Goodman Avenue.

BEING one of the lots of ground described in an Assignment dated September  
26, 1957 and recorded among the Land Records of Baltimore County in Liber O.L.P. No.  
3239, folio 99, from Richman Realty Corporation to Theodore Julio, the within named  
Grantor.



#### CERTIFICATE OF PUBLICATION

TOWSON, MD. November 28, 1989

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper published  
in Towson, Baltimore County, Md., once in each of 1 successive  
weeks, the first publication appearing on Nov 23, 1989.

THE JEFFERSONIAN.

S. Zeke Orlean  
Publisher

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Law of Baltimore County, will hold a public hearing on the property described in the petition for a Variance from Section 1202.3.B (214.1.b.1. R.G. 2000. 1952.) To permit a rear yard setback in lieu of the minimum 50 feet. The hearing will be held on the 13th day of December, 1989, at 2:00 o'clock in Room 106, County Office Building in Towson, Maryland 21204.

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Law of Baltimore County, will hold a public hearing on the property described in the petition for a Variance from Section 1202.3.B (214.1.b.1. R.G. 2000. 1952.) To permit a rear yard setback in lieu of the minimum 50 feet. The hearing will be held on the 13th day of December, 1989, at 2:00 o'clock in Room 106, County Office Building in Towson, Maryland 21204.

#### CERTIFICATE OF PUBLICATION

November 28, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 23, 1989.

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

S. Zeke Orlean  
Publisher



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 12th Date of Posting: 11/11/89  
Posted for: Variances  
Petitioner: Dorothy B. Rash  
Location of property: NW/4 of Goodman Ave. 704' SW of Manchester Rd.  
602 Goodman Ave.  
Location of Sign: Facing Goodman Ave. approx. 10' from property  
Remarks: Property of Dorothy B. Rash  
Posted by: [Signature] Date of return: 11/11/89  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

Dorothy B. Rash  
602 Goodman Avenue  
Baltimore, Maryland 21222  
Re: Petition for Zoning Variance  
CASE NUMBER: 90-229-A  
NW/4 of Goodman Avenue, 204' SW of c/l of Manchester Road  
602 Goodman Avenue  
12th Election District - 7th Councilmanic  
Petitioner(s): Dorothy B. Rash  
HEARING: WEDNESDAY, DECEMBER 13, 1989 at 2:00 p.m.

Dear Petitioner:  
Please be advised that \$111.09 is due for advertising and posting of the above captioned property.

**Baltimore County Zoning Commissioner**  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Account: R-001-6150  
Number: 640  
Date: 11/13/89  
Receipt  
90-229  
11/13/89  
PUBLIC HEARING FEES  
QTY PRICE  
080 - POSTING SIGNS / ADVERTISING 1 \$111.09  
LAST NAME OF OWNER: RASH TOTAL: \$111.09  
Check Validation: 11100000110916 2145F  
Please make checks payable to: Baltimore County

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mrs. Dorothy B. Rash  
702 Goodman Avenue  
Baltimore, MD 21222

RE: Item No. 94, Case No. 90-229-A  
Petitioner: Dorothy B. Rash  
Petition for Zoning Variance

Dear Mrs. Rash:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing, scheduled accordingly.

IF YOU WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,  
James E. Dyer  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

November 15, 1989

**NOTICE OF HEARING**



Dennis F. Rasmussen  
County Executive

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 90-229-A  
NW/4 of Goodman Avenue, 204' SW of c/l of Manchester Road  
602 Goodman Avenue  
12th Election District - 7th Councilmanic  
Petitioner(s): Dorothy B. Rash  
HEARING: WEDNESDAY, DECEMBER 13, 1989 at 2:00 p.m.

Variances To permit a 37 foot rear yard setback in lieu of the minimum 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:  
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert Haines  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

JRH:gs  
cc: Dorothy B. Rash  
Sharon Aziz  
File

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner



Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this  
26th day of September, 1989.

J. Robert Haines  
ZONING COMMISSIONER

Received By:

[Signature]  
James E. Dyer  
Chairman  
Zoning Plans Advisory Committee

Petitioner: Dorothy B. Rash

Petitioner's Attorney:

**PP-3 REPRESENTATION BY COUNSEL**

An individual may enter an appearance by an attorney or in proper person. An individual shall include a partnership, joint venture or individual property owner and/or contract purchaser or lessee.

A corporation may enter an appearance at hearing only by an attorney. A corporation may file a Petition signed by a representative of the corporation, but there must be representation at the public hearing by counsel.

*Person for  
Sharon Aziz  
Sharon Aziz*

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
(301) 887-3554

November 9, 1989

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

RECEIVED  
NOV 16 1989  
ZONING OFFICE

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 87, 88, 95, 96, 97, 98, 99, 100, 101, 102 and 104.

Very truly yours,

Michael S. Flanagan  
Traffic Engineer Associate II

Baltimore County  
Fire Department  
800 York Road  
Towson, Maryland 21204-2586  
(301) 887-4500  
Paul H. Reicks  
Chief

September 25, 1989

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: DOROTHY B. RASH  
Location: NW/4 OF GOODMAN AVENUE  
Item No.: 94 Zoning Agenda: SEPTEMBER 26, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: [Signature] Noted and Approved: [Signature]  
Planning Group Fire Prevention Bureau  
Special Inspection Division

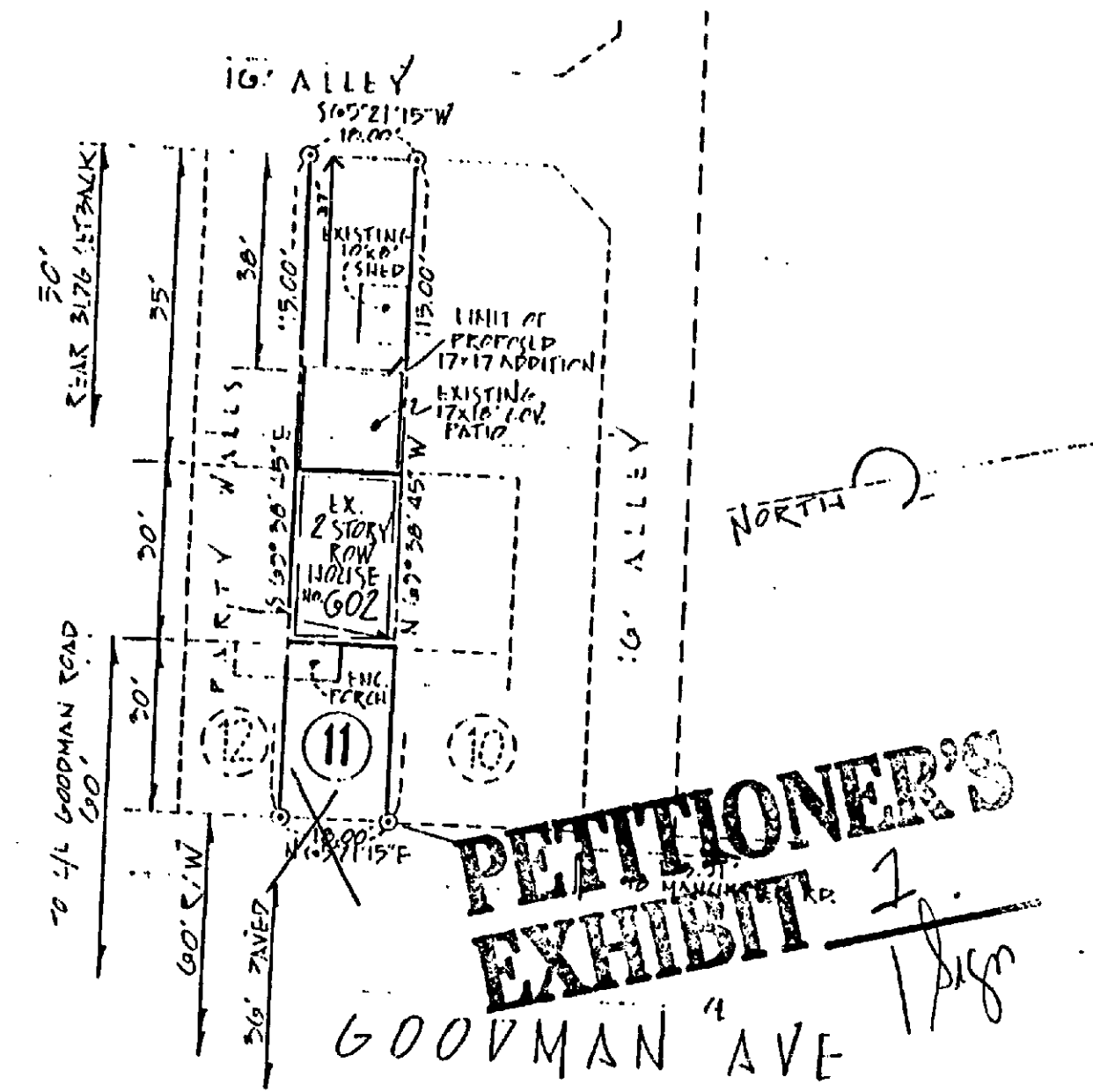
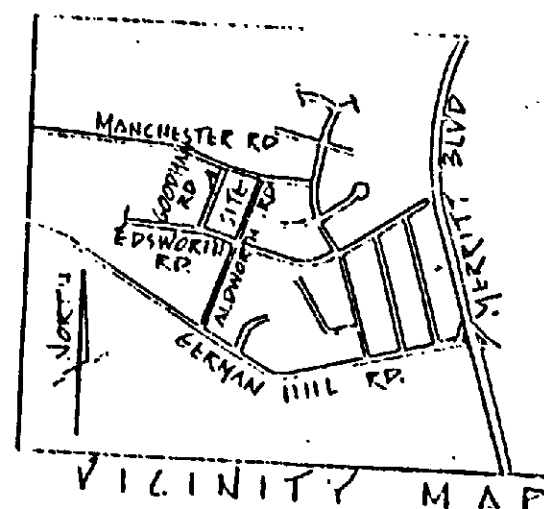
JK/KEK

SILBERMANN ASSOCIATES TEL. NO. 1-301-661-5888

Aug 21, 89 10:38 No.005 P.07

**SILBERMANN & ASSOCIATES**  
ENGINEERS PLANNERS SURVEYORS  
1703 EAST JOPPA ROAD  
BALTIMORE, MARYLAND 21234  
PHONE: 661-5888

HARVEY SILBERMANN, P.E.  
PROFESSIONAL ENGINEER MARYLAND REG. #2420



LOT SIZE: 2076 SQ. FT.  
.05 ACRES  
FLAT FOR ZONING VARIANCE FOR ALLOWANCE OF CONSTRUCTION BEYOND EXISTING 50' REAR SETBACK LINE.  
OWNER: DOROTHY RASH  
DISTRICT: 12 ZONED: DR 105  
SUBDIVISION: MANCHESTER  
LOT 11 B1K B  
BOOK No. 27, FOLIO 30  
SCALE: 1" = 50'

**BALTIMORE COUNTY, MARYLAND**  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Dorothy B. Rash, Item 94  
Zoning Petition No. 90-229

The Petitioner requests a variance to permit a 37 ft. rear yard setback in lieu of the minimum 50 ft.

In reference to this request, staff offers no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm